

GIS REGISTRY INFORMATION

SITE NAME: Former Gerseth Service Station

BRRTS # and FID #: 03-41-003214, 241152450

CLOSURE DATE: 18-Sep-03

STREET ADDRESS: 4231 North Oakland Avenue

CITY: Shorewood

SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection): X= 691900 Y= 293453

OFF-SOURCE CONTAMINATION (>ES): ☐ Yes ☒ No
(if there are more than 2 off-source properties, make a note and attach additional sheet(s))

IF YES, STREET ADDRESS 1:

GPS COORDINATES (meters in WTM91 projection): X= Y=

IF YES, STREET ADDRESS 2:

GPS COORDINATES (meters in WTM91 projection): X= Y=

CONTAMINATION IN RIGHT OF WAY: ☐ Yes ☒ No

CONTAMINATED MEDIA: (Groundwater, Soil or Both?)

DOCUMENTS NEEDED:

Closure Letter, and any conditional closure letter issued	<input checked="" type="checkbox"/>
Copy of most recent deed, including legal description, for all affected properties	<input type="checkbox"/>
Certified survey map or relevant portion of the recorded plat map (if referenced in the legal description) for all affected properties	<input checked="" type="checkbox"/>
County Parcel ID number, if used for county, for all affected properties	<input checked="" type="checkbox"/>
Location Map which outlines all properties within contaminated site boundaries in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy)	<input checked="" type="checkbox"/>
Detailed Site Map(s) for all affected properties, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. (8.5x14", if paper copy)	<input checked="" type="checkbox"/>
Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)	<input checked="" type="checkbox"/>
Isoconcentration map(s), if available from site investigation (SI) (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of contamination defined. If not available, include the following 2 types of maps:	<input type="checkbox"/>
Latest groundwater flow/monitoring well location map	<input checked="" type="checkbox"/>
Latest extent of contaminant plume map	<input type="checkbox"/>
Geologic cross-sections, if available from SI. (8.5x14" if paper copy)	<input type="checkbox"/>
RP certified statement that legal descriptions are complete and accurate	<input type="checkbox"/>
Copies of off-source notification letters (if applicable)	<input type="checkbox"/>
Letter informing ROW owner of residual contamination (if applicable)	<input type="checkbox"/>
Copy of (soil or land use) deed restriction(s) or deed notice if any required as a condition of closure.	<input checked="" type="checkbox"/>



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters
2300 N. Dr. Martin Luther King, Jr. Drive
P O Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8483
TTY 414-263-8713

September 18, 2003

Ms Maureen Carney
Boulder Venture Shorewood, LLC
330 East Kilbourn Avenue, Suite 1454
Milwaukee, WI 53202

Subject: Final Closure for the Former Gerseth Service Station, 4231 North Oakland Avenue, Shorewood, WI

FID: 241152450
BRRS: 03-41-003214

Dear Ms Carney:

On November 30, 1999 the Department of Natural Resources ("the Department") reviewed the site as described above for site closure. The Department reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On November 30, 1999, Mr. Gene Gerseth was notified that conditional closure was granted to this case.

As the current owner of this property, on September 18, 2003, the Department received correspondence indicating that your organization has complied with the conditions of closure. The groundwater monitoring wells were abandoned in April 2000, a copy of the groundwater use restriction was received at this office on August 12, 2003 (filed on March 27, 2000), and the deed warranty verified by Ms Judy Ohm of the Department's legal staff (September 18, 2003). Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05 Wis. Admin. Code. The Department considers this case closed and no further investigation, remediation, or other action is required at this time.

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the registry. To review the sites on the GIS Registry web page, visit:

<http://gomapout.dnr.state.wi.us/org/at/et/geo/gwur/index.htm>

Please be aware that this case may be opened pursuant to s. NR 726.09, Wis. Admin. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

The Department appreciates the actions you have taken to investigate and remediate the contamination at this site. If you have any questions or comments, please feel free to contact

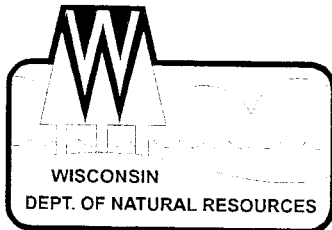
me at the above address or at (414) 263-8644. Please refer to the FID number at the top of this letter in any future correspondence. Future correspondence should be sent directly to the Remediation and Redevelopment Program Assistant Vicky Stovall (414-263-8680) at the above address.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. Hnat", with a long horizontal flourish extending to the right.

John J. Hnat
Senior Hydrogeologist
Remediation and Redevelopment

C: Gary Henningson, Northern Environmental
WDNR SER Files



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region
Milwaukee Service Center
2300 N. Dr. ML King Drive, PO Box 12436
Milwaukee, Wisconsin 53212-0436
Telephone 414-263-8500
FAX 414-263-8716
TDD 414-263-8713

November 30, 1999

Mr. Gene Gerseth
7504 West Willowbrook Court
Mequon, Wisconsin 53092

SUBJECT: Request for closure, Former Gerseth's Service Station, 4231 North Oakland Avenue, Shorewood, Wisconsin. BRR-LUST FID#241152450.

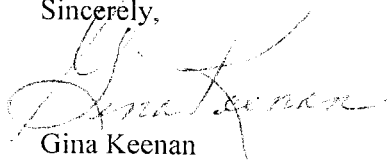
Dear Mr. Gerseth:

We have reviewed the referenced case file for closure. Based on the information provided, we concur with your environmental consultant's recommendation of case closure and require no further action at this site conditional upon the following:

1. Placement of a groundwater use restriction on the title of the property, and submittal of documentation that the groundwater use restriction has been placed on the title of the deed.
2. Abandonment of the groundwater monitoring wells at the site in accordance with NR 141 and submittal of the abandonment forms to the Department.

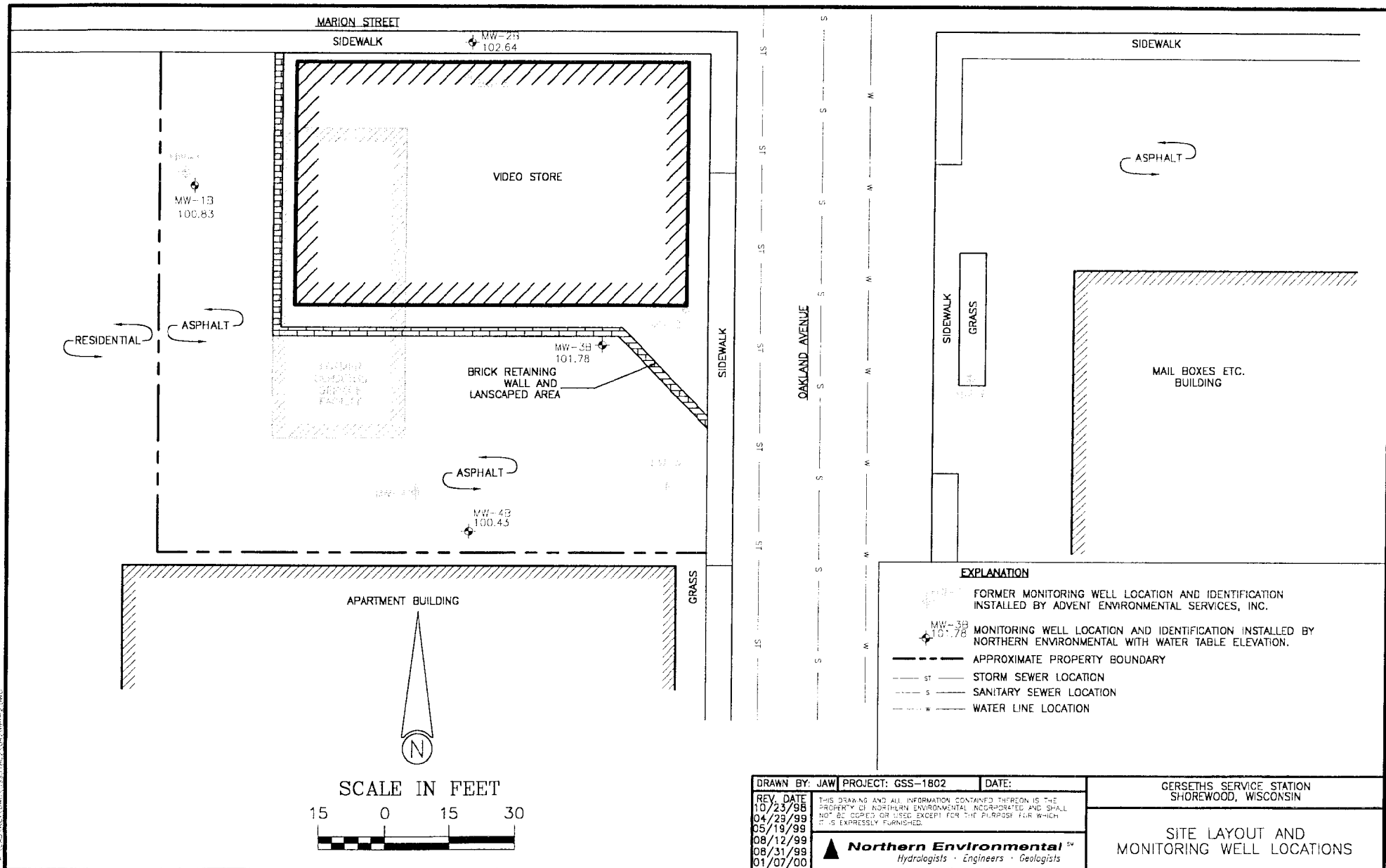
Once the department receives the abandonment forms and documentation that the groundwater use restriction has been placed on the deed, this case will be tracked as closed on the department's tracking system. As always, the department reserves the right to require additional investigation and/or remediation if it is shown that contamination from this site is a threat to the environment, public welfare and/or health. If you have any questions regarding this letter, you may contact me at the above address or at (414) 263-8689.

Sincerely,



Gina Keenan
Hydrogeologist

c: Northern Environmental
SER case file



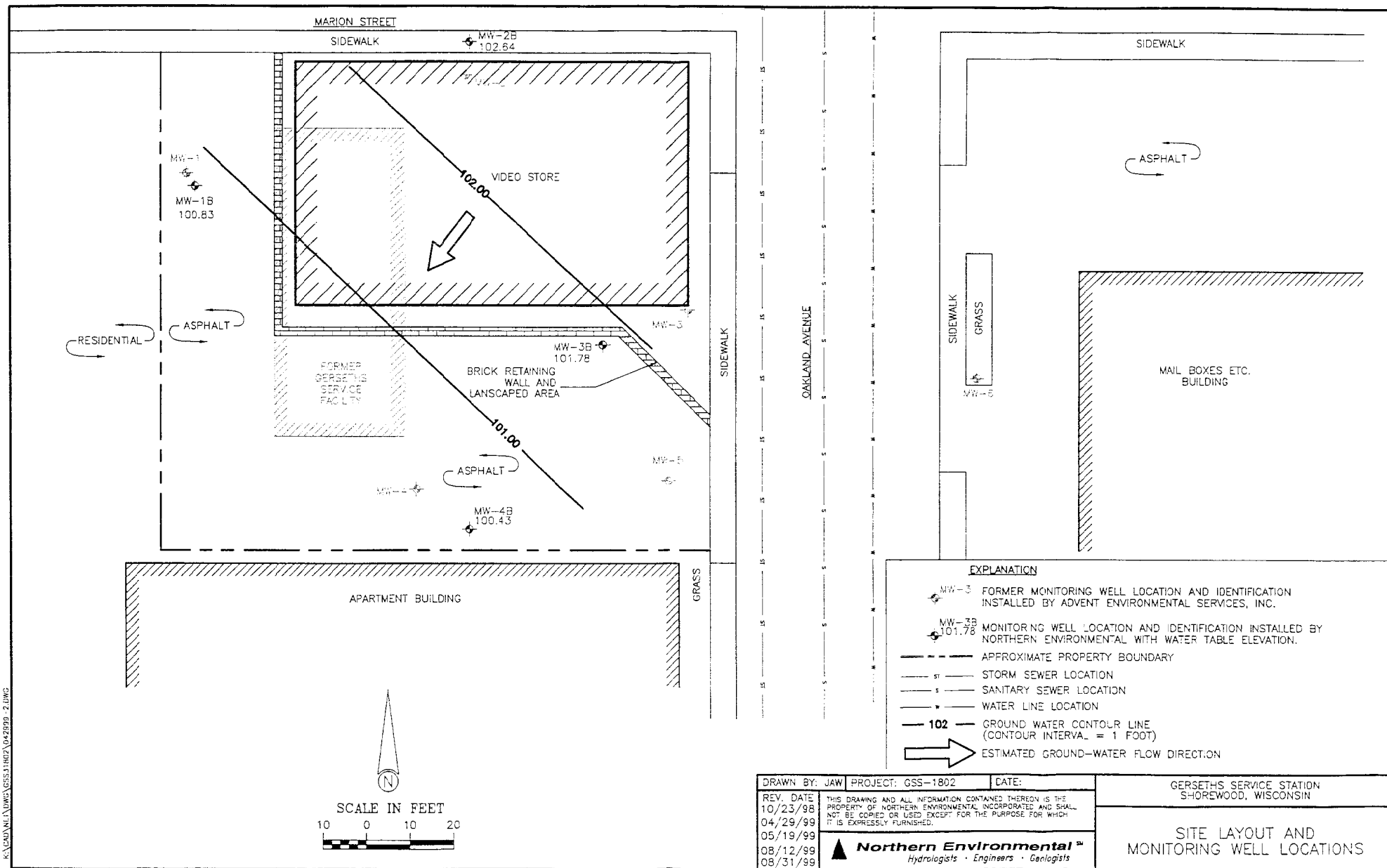


FIGURE 1

Table 3 Ground-Water Quality Data Laboratory Results, Former Gerseth's Service Station, Shorewood, Wisconsin

Sampling Point	Date Collected	DRO (mg/l)	GRO (mg/l)	Lead (mg/l)	Detected Volatile Organic Compounds (µg/l)											Laboratory
					Benzene	n-Butyl-benzene	sec-Butyl-benzene	Ethyl-benzene	tert-Butyl-benzene	MTBE	Naphthalene	n-Propyl-benzene	Toluene	Trimethyl-benzenes	Xylenes	
MW-1*	10/20/93	ND	ND	0.0054	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	Great Lakes
MW-1B	05/03/99	-	-	-	<0.32	-	-	<0.34	-	<0.31	-	-	<0.35	<0.99	<1	U.S. Analytical
	08/03/99	-	-	-	1.6	-	-	1.6	-	<0.31	-	-	8.1	0.62*J*	4.8	U.S. Analytical
MW-2*	10/20/93	ND	ND	0.0074	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	Great Lakes
MW-2B	05/03/99	-	-	-	<0.32	-	-	<0.34	-	0.8*J*	-	-	<0.35	<0.99	<1	U.S. Analytical
	08/03/99	-	-	-	0.41*J*	-	-	<0.34	-	<0.31	-	-	1.4	<0.99	<1	U.S. Analytical
MW-3*	10/20/93	34	65	0.0091	24,000	600	790	2000	ND	ND	1200	ND	2000	2650	6100	Great Lakes
MW-3B	05/03/99	-	-	-	6	-	-	<0.34	-	40	<0.88	-	<0.35	0.44*J*	<1	U.S. Analytical
	08/03/99	-	-	-	38	-	-	<0.34	-	84	-	-	1*J*	<0.99	<1	U.S. Analytical
MW-4*	10/20/93	8.7	0.7	0.22	ND	5.2	12	2.5	2.0	ND	2.5	ND	ND	6.6	9.9	Great Lakes
MW-4B	05/03/99	-	-	-	<0.32	-	-	<0.34	-	<0.31	-	-	<0.35	<0.99	<1	U.S. Analytical
	08/03/99	-	-	-	2.0	-	-	2.0	-	<0.31	-	-	10	0.74*J*	8.2	U.S. Analytical
MW-5*	04/15/94	0.4	ND	-	ND	0.80	ND	ND	ND	ND	ND	ND	ND	ND	ND	Great Lakes
MW-6	04/15/94	0.2	0.11	-	3.3	ND	ND	1.1	ND	ND	ND	ND	ND	4.6	2.2	Great Lakes
NR 140, Wis. Adm. Code PAL		NR	NR	0.0015	0.5	NR	NR	140	NR	12	8	NR	68.6	96	124	
NR 140, Wis. Adm. Code ES		NR	NR	0.015	5	NR	NR	700	NR	60	40	NR	343	480	620	

NOTE:

* = well abandoned

ND = not detected

GRO = gasoline range organics

DRO = diesel range organics

mg/l = milligrams per liter


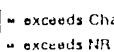
µg/l = micrograms per liter

MTBE = methyl-tertiary-butyl-ether

< x = not detected above the reported limit of x

J = analyte detected between the limit of detection and the limit of quantification

- = not analyzed

 = exceeds Chapter NR 140, Wisconsin Administrative Code (NR 140, Wis. Adm. Code) preventive action limit (PAL)
 = exceeds NR 140, Wis. Adm. Code enforcement standard (ES)

Notes:

- Monitoring wells MW-1, MW-2, MW-3, and MW-4 were either removed by excavation or properly abandoned and replaced by monitoring wells MW-1B, MW-2B, MW-3B, and MW-4B, respectively.
- Monitoring well MW-5 was removed by excavation and not replaced.
- Monitoring well MW-6 contains petroleum compounds related to an off-site source and is maintained and sampled by a separate responsible party.

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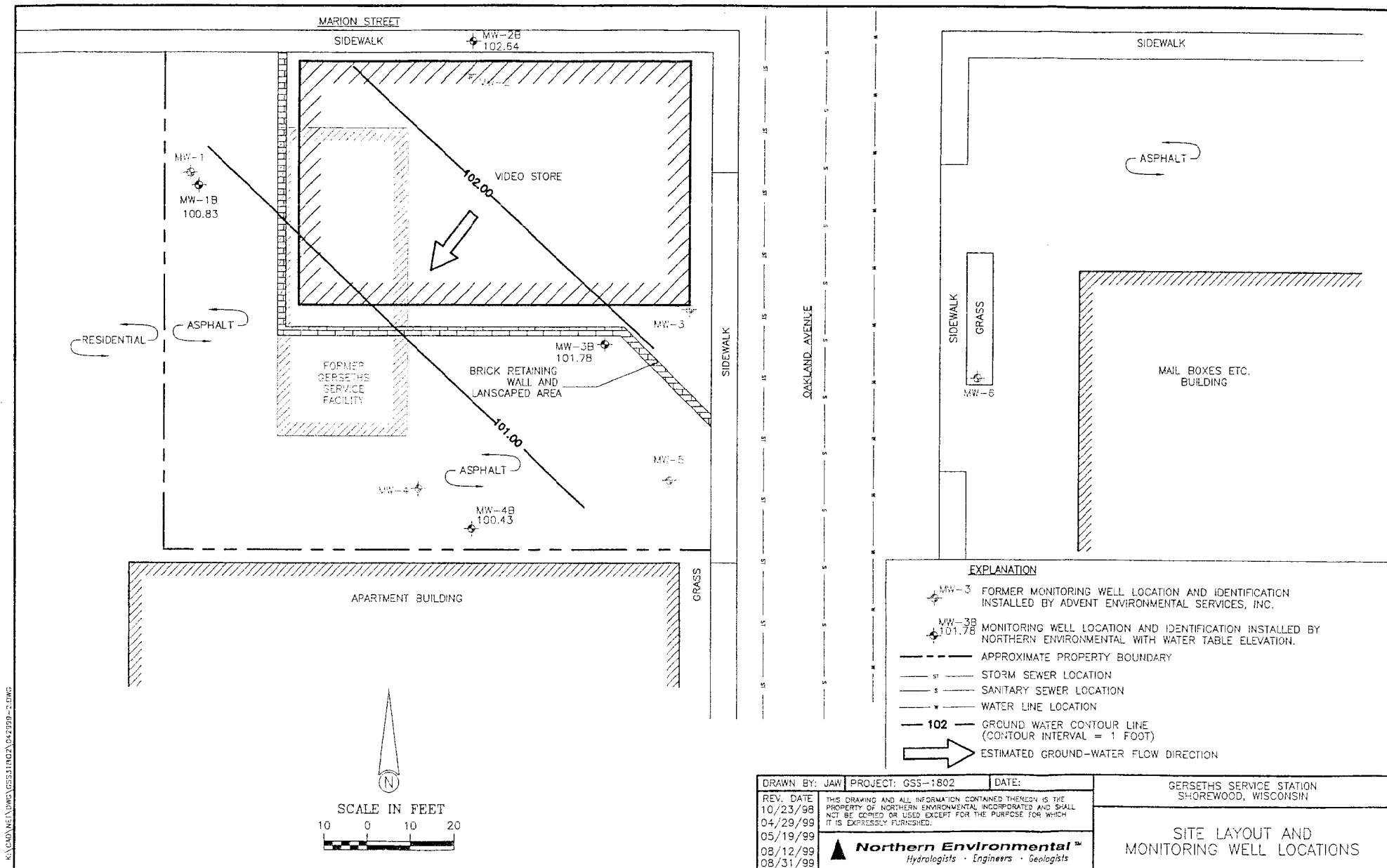


FIGURE 1

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Document Number

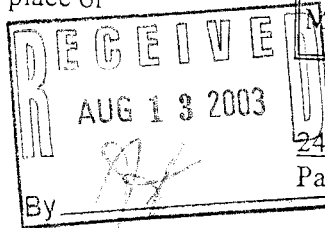
GROUNDWATER USE RESTRICTION

Declaration of Restrictions

In Re: All that part of the Southeast ¼ of Section 4, Town 7 North, Range 22 East, in the Village of Shorewood, County of Milwaukee, State of Wisconsin, bounded and described as follows:
 Commencing at the Northeast corner of said Southeast ¼ Section: thence South along the East line of said ¼ Section 709.07 feet to a point; thence West on a line parallel with the North line of said Southeast ¼ Section 40 feet to a point which point is the commencement of the lands herein described; thence South along a line parallel with the East line of said ¼ Section 110.17 feet to a point; thence West on a line parallel with the North line of said ¼ Section 120 feet to a point; thence North on a line parallel with the East line of said ¼ Section 110.17 feet to a point; thence East on a line parallel with North line of said ¼ Section 120 feet to the place of commencement.

STATE OF WISCONSIN)

COUNTY OF Milwaukee) ss



Recording Area

Name and Return Address
 Northern Environmental Technologies,
 Incorporated
 1214 West Venture Court
 Mequon, Wisconsin 53092

240-9996-000
 Parcel Identification Number (PIN)

7889821

REGISTER'S OFFICE | SS
 Milwaukee County, WI

RECORDED AT 4:24 PM

03-27-2000

WALTER R. BARCZAK
 REGISTER OF DEEDS

AMOUNT 18.00

71024152450
 03-27-00

WHEREAS, BV Shorewood, L.L.C. is the owner of the above-described property.

WHEREAS, a petroleum discharge has occurred at this property. Petroleum-contaminated groundwater above NR 140 enforcement standards exists on this property. The type, concentration, and location of petroleum groundwater contamination are specified on the attached map and table (Exhibit A).

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 is restricted by ch. NR 811 and ch. NR 812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

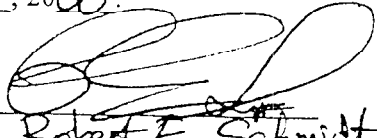
Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation. Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this groundwater use restriction is no longer binding.

By signing this document, Robert E. Schmidt III asserts that he is duly authorized to sign this document on behalf of BV Shorewood, L.L.C.

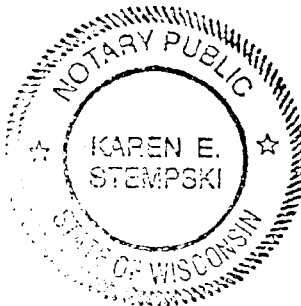
IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 22 day of March, 2000.

Signature: 

Printed Name: Robert E. Schmidt III
BV SHOREWOOD, L.L.C.

Subscribed and sworn to before me
this 22 day of March, 2000

Karen E. Stempski
Notary Public, State of Wisconsin
My commission 1-19-03



DRAFTED BY: TIMOTHY P. WOOD

Table 3 Ground-Water Quality Data Laboratory Results, Former Gerseth's Service Station, Shorewood, Wisconsin

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exceeds NR 140, Wis. Adm. Code enforcement standard (ES)

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DATE: 01/07/00 BY: JAW

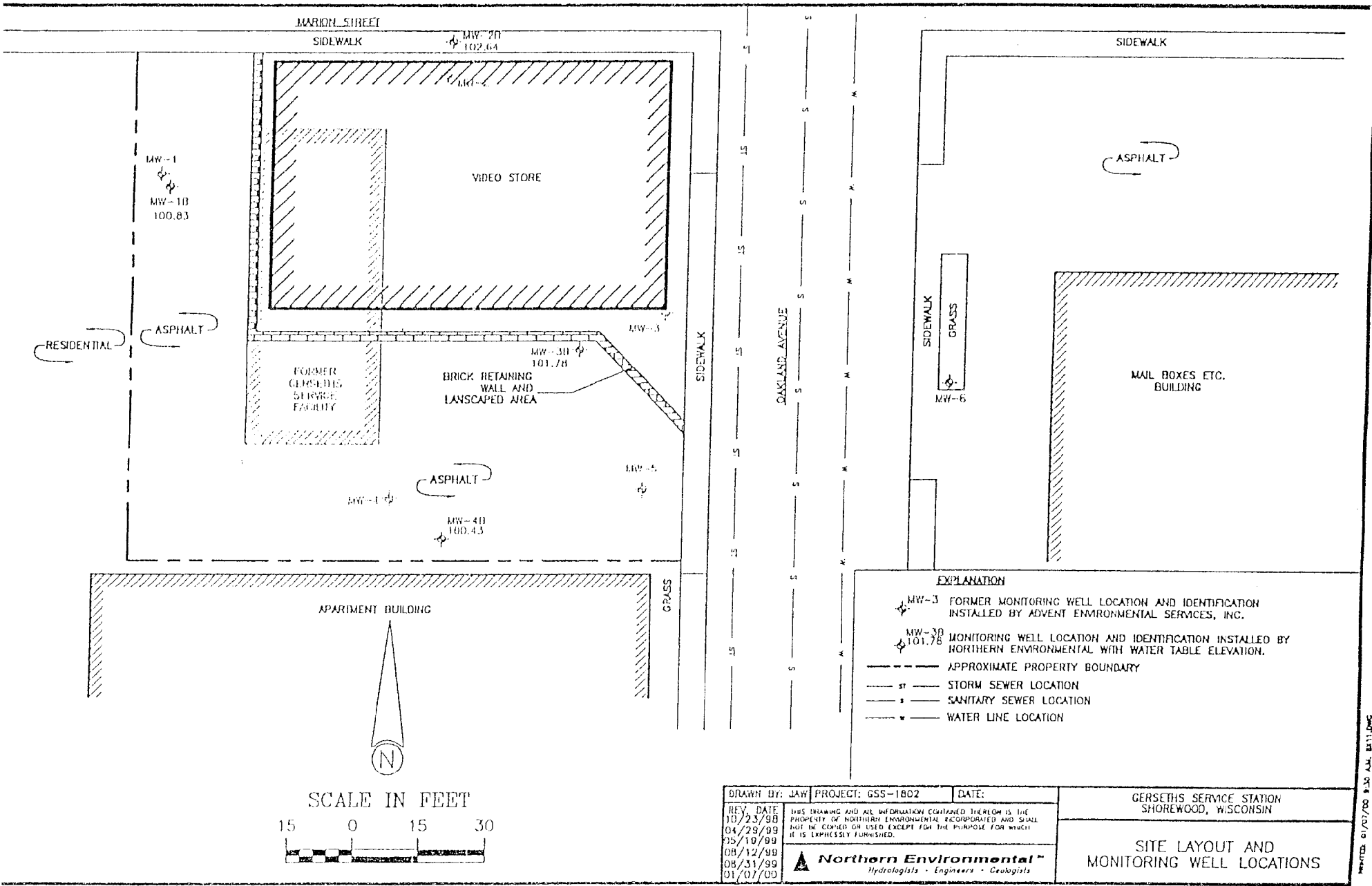


FIGURE 1